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Attorneys for Defendant,  
MURDAUGH STUART MADDEN, JR.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

MURDAUGH STUART MADDEN, JR.,  
Defendant.

Case No. CR 07-00245 RMW

**STIPULATION AND ~~PROPOSED~~  
ORDER SEALING COURT RECORDS**

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1 Pursuant to the Honorable Jeremy Fogel's minute order, dated January 14, 2009, the  
2 parties hereby agree that the portion of the Court's record identified below be sealed before the  
3 file is transferred to the Honorable Ronald M. Whyte.

4 IT IS STIPULATED THAT the following documents be sealed:

5 1. Documents 51: Madden's Notice of Motion and Administrative Motion To File  
6 The Confidential Declaration Of D. Joshua Voorhees In Support of Madden's Motion to  
7 Withdraw His Plea Under Seal;

8 2. Document 52: Declaration of D. Joshua Voorhees in Support of Madden's  
9 Administrative Motion to File Documents Under Seal;

10 3. Document 53: [Proposed] Order Granting Madden's Administrative Motion to  
11 File Documents Under Seal;

12 4. Document 54: Madden's Third Supplemental Brief in Support of His Motion to  
13 Withdraw Plea and Amended Motion to Withdraw Plea;

14 5. Document 55: Government's Supplemental Submission Re: (1) Whether  
15 Information in the Presentence Report Bears on Madden's Motion to Withdraw His Guilty  
16 Plea, and (2) Whether Dr. Dusay's Notes are Relevant to that Inquiry;

17 6. Document 56: Letter from e. robert (bob) wallach to Judge Fogel dated  
18 December 12, 2008;

19 7. Document 58: Letter from David Callaway to Judge Fogel dated December 15,  
20 2008;

21 8. Document 59: Order Granting Madden's Administrative Motion to File  
22 Documents Under Seal;

23 9. Document 60: Stuart Madden's Objection; Motion to Strike Letter Brief;  
24 Motion for Recusal;

25 10. Document 61: Transcript of Proceedings on December 10, 2008;

26 11. Document 66: Letter from e. robert (bob) wallach to Judge Fogel dated January  
27 5, 2009;

28 12. Document 67: Letter from David Callaway to Judge Fogel dated January 8,

2009;

13. Document 71: Transcript of Proceedings on January 14, 2009.

The sealed documents shall be removed from the Court's file before it is transferred to the Honorable Ronald M. Whyte, placed under seal in a separate file, and not made public to any person or party without a formal Order of this Court after duly noticed Motion and Hearing.

McMANIS FAULKNER

Dated: March 2, 2009

//s//

JOSHUA VOORHEES

Attorneys for Defendant,  
MURDAUGH STUART MADDEN

OFFICE OF THE U.S. ATTORNEY

Dated: March 2, 2009

//s//

DAVID R. CALLAWAY

Attorneys for Plaintiff,  
UNITED STATES OF AMERICA

**ORDER**

The following documents shall be sealed.

1. Documents 51: Madden's Notice of Motion and Administrative Motion To File The Confidential Declaration Of D. Joshua Voorhees In Support of Madden's Motion to Withdraw His Plea Under Seal;
2. Document 52: Declaration of D. Joshua Voorhees in Support of Madden's Administrative Motion to File Documents Under Seal;
3. Document 53: [Proposed] Order Granting Madden's Administrative Motion to File Documents Under Seal;
4. Document 54: Madden's Third Supplemental Brief in Support of His Motion to Withdraw Plea and Amended Motion to Withdraw Plea;
5. Document 55: Government's Supplemental Submission Re: (1) Whether Information in the Presentence Report Bears on Madden's Motion to Withdraw His Guilty Plea, and (2) Whether Dr. Dusay's Notes are Relevant to that Inquiry;
6. Document 56: Letter from e. robert (bob) wallach to Judge Fogel dated December 12, 2008;
7. Document 58: Letter from David Callaway to Judge Fogel dated December 15, 2008;
8. Document 59: Order Granting Madden's Administrative Motion to File Documents Under Seal;
9. Document 60: Stuart Madden's Objection; Motion to Strike Letter Brief; Motion for Recusal;
10. Document 61: Transcript of Proceedings on December 10, 2008;
11. Document 66: Letter from e. robert (bob) wallach to Judge Fogel dated January 5, 2009;
12. Document 67: Letter from David Callaway to Judge Fogel dated January 8, 2009;
13. Document 71: Transcript of Proceedings on January 14, 2009.

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2 The sealed documents and records shall be removed from the Court's file before it is  
3 transferred to the Honorable Ronald M. Whyte, placed under seal in a separate file, and not  
4 made public to any person or party without a formal Order of this Court after duly noticed  
5 Motion and Hearing.

6  
7 IT IS SO ORDERED.

8  
9 DATED: 3/4/09

  
THE HON. JEREMY FOGEL  
UNITED STATES DISTRICT JUDGE